

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Chapter 11
)
EBRO FOODS, INC.) Judge Eugene Wedoff
)
Debtor and Debtor in Possession.) Case No. 09-10101
)
) Hearing: February 23, 2010

NOTICE OF MOTION

To: See attached service list

PLEASE TAKE NOTICE that on February 23, 2010 at 9:30 a.m. I shall appear before the Honorable Eugene Wedoff, or any other Judge sitting in his stead, in Courtroom 744, Dirksen Federal Building, 219 S. Dearborn St., Chicago, IL, and shall then and there present the Debtor's **Motion to Incur Indebtedness through Entry into a Lease Agreement**, a copy of which is enclosed and is herewith served upon you. At which time and place you may appear and be heard.

/s/ Forrest L. Ingram
One of Debtor's attorneys

Forrest L. Ingram, #3129032
Philip Groben
Michael Ohlman
Forrest L. Ingram, P.C.
79 W. Monroe St., Suite 900
Chicago, IL 60603
(312) 759-2838

CERTIFICATE OF SERVICE

I, Philip Groben, an attorney, certify that I served a true and correct copy of the above and foregoing notice and the document to which it refers on the parties listed on the attached service list, on February 12, 2010, either by electronic filing through ECF or by regular U.S. mail and email.

/s/ Forrest L. Ingram

SERVICE LIST

VIA CM/ECF:

William T. Neary
Office of the U.S. Trustee, Region 11
219 S Dearborn St., Room 873
Chicago, IL 60604
USTPRegion11.ES.ECF@usdoj.gov

Bank of America
Dykema Gossett PLLC
c/o Robert Nachman
10 S Wacker Dr., Ste 2100
Chicago, IL 60606

U.S. Internal Revenue Service
Centralized Insolvency Operations
Post Office Box 21126
Philadelphia, PA 19114-0326

Illinois Department of Revenue
Bankruptcy Section
P.O. Box 64338
Chicago, IL 60664-0338

Colgate Commodities
c/o Dean Nelson
HC 2 Box 17, 308 Front Avenue
Colgate, ND 58046

Silgan Equipment Company
1140 31st Street
Downers Grove, IL 60515

Harvest Foods Group Inc
Mark A Bulgarelli Keaton & Assoc PC
1278 W Northwest Hwy, Ste 903
Palatine, IL 60067

Kelley Bean Co., Inc.
c/o Patrick F. Ross - Ungaretti & Harris
3500 Three First National Plaza
Chicago, IL 60602

City of Chicago Water Dept.
333 S. State Street Chicago
DePaul Center, Suite LL10
Chicago, IL 60602

Metropolitan Water Reclamation District
c/o Barry Chatz - Arnstein & Lehr LLP
120 S. Riverside Plaza, Suite 1200
Chicago, IL 60606

VIA U.S. MAIL:

The Debtor
Ebro Foods
1330 W. 43rd St.
Chicago, IL 60609

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In re:)	Chapter 11
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**MOTION TO INCUR INDEBTEDNESS THROUGH DEBTOR'S ENTRY INTO A
LEASE AGREEMENT**

NOW COMES Debtor and Debtor in Possession, Ebro Foods, Inc., by and through its attorneys at Forrest L. Ingram, P.C., and for its Motion to Incur Indebtedness Through Debtor's Entry into a Lease Agreement, states as follows:

1. Prior to filing for bankruptcy protections, Ebro Foods, Inc. ("Ebro Foods") conducted operations at 1330 W. 43rd St. in Chicago, Illinois (the "Property").
2. Subsequent to filing, the lease allowing Ebro Foods to remain in the Property expired and the Debtor. As this Court has noted, any plan of reorganization which is proposed by the Debtor must include a place to conduct its operations.
3. The Debtor has entered into a lease agreement, subject to Court approval, with the current owner of the property Ebro Real Estate Holdings, LLC. See attached proposed lease as **Exhibit A**. The terms of the proffered lease are fair and reasonable under the circumstances, including the recent decline in real estate values, and the Debtor deems the terms offered to be fair and reasonable.

WHEREFORE, the Debtor, Ebro Foods, Inc., prays this Court to enter an order granting Debtors the authority to enter in a lease agreement with Ebro Real Estate, LLC for the premises located at 1330 W. 43rd St., Chicago, IL, and other and further relief as may be just.

Respectfully submitted,

Ebro Foods, Inc.

By: /s/ Philip Groben
One of its attorneys

Forrest L. Ingram , #3129032
Philip Groben
Michael Ohlman
Forrest L. Ingram, P.C.
79 West Monroe Street, Suite 900
Chicago, IL 60603-4907